

**EXHIBIT “A”**

42. Defendant, al Qaida, is a designated Foreign Terrorist Organization (“FTO”), pursuant to §219 of the Immigration and Nationality Act, as amended by the Anti-terrorism and Effective Death Penalty Act of 1996. Established by defendant Osama bin Laden in the late 1980’s, al Qaida is a global network of several thousand terrorist cells, members, associates and supporters, dedicated to the establishment of a pan-Islamic Caliphate throughout the world. The network’s strength is reinforced by its ties to other FTOs, extremist organizations and sympathetic individuals and State Sponsors. Al Qaida frequently functions through, in concert with, or with the support of, the terrorist organizations and groups that operate under its umbrella or with its support. In February 1998, al Qaida issued a *fatwa* under the banner “the World Islamic Front for Jihad Against Jews and Crusaders,” saying it was the duty of all Muslims to kill United States citizens - civilian or military - and their allies everywhere.

66. Defendants... have aided and abetted, conspired with, and provided material support and resources to, defendant al Qaida and/or affiliated FTOs, associations, organizations or persons, as described herein.

70. On September 11, 2001, nineteen (19) members of the al Qaida terrorist network hijacked four (4) commercial airliners, and used those planes as weapons in a coordinated terrorist attack on the World Trade Center Complex in New York and the Pentagon in Arlington, Virginia (the “September 11<sup>th</sup> Attack”).

71. The September 11<sup>th</sup> Attack resulted in the tragic loss of several thousand lives, personal injuries to countless other persons, and property damage on a catastrophic scale, including the complete destruction of the World Trade Center Complex.

72. The September 11<sup>th</sup> Attack was a direct, intended and foreseeable product of a larger conspiracy among the defendants, to commit acts of international terrorism against the United States, its nationals and allies.

73. The conspiracy among the defendants to commit acts of international terrorism against the United States, its nationals and allies, included the provision of material support and resources to defendant al Qaida and affiliated foreign states, FTOs, persons, organizations, commercial entities and other parties, as discussed herein.

74. Absent the material support and resources provided by the co-defendants, both directly and indirectly, al Qaida would not have possessed the financial resources, physical assets, membership base, technological knowledge, communication skills, and global reach required to conceive, plan and execute the September 11<sup>th</sup> Attack.

77. Shortly before the Soviet Army withdrew from Afghanistan in 1989, Osama bin Laden became determined to spread the jihadist movement to regions outside of Afghanistan, and to wage war with the United States of America, which he believed to be the true enemy of Islam. In furtherance of that objective, bin Laden established al Qaida. At the time of its establishment, al Qaida had only fifteen (15) members. Over the course of the next thirteen- (13) years, al Qaida grew to include several thousand members, associates, and supporters, with operational and logistical cells in every corner of the globe. By September 11, 2001, al Qaida also served as an umbrella organization for other like minded terrorist groups, through which it frequently conducted terrorist attacks.

78. Using the system developed to support the mujihadeen fighters in Afghanistan as a model, al Qaida relied, from its inception, on a complex infrastructure of ostensible charities, relief organizations, mosques, banks, financial institutions, wealthy sponsors, and for-profit

enterprises to fuel its phenomenal development and global expansion. This international support infrastructure sustained al Qaida when it moved from Afghanistan to the Sudan in 1991, and when it was forced to relocate back to Afghanistan in 1996. Absent this international support infrastructure, al Qaida would have remained a regional extremist organization, without the capacity to conduct acts of international terrorism.

79. Ostensible charitable organizations, and in particular, Islamic charities under the control of the Kingdom of Saudi Arabia, have played a singularly important role in al Qaida's development and pursuit of its perverse ambitions. These "charities" have served as the primary vehicle for raising, laundering and distributing funds on behalf of al Qaida from its inception. In addition, these charities have provided arms, false travel documentation, physical assets and logistical support to al Qaida. In many cases, senior members of the al Qaida movement have served as senior representatives of the charities, and used their employment status with the charities to shield their direct involvement in planning, coordinating, organizing, funding and conducting acts of international terrorism. Facilities of the charities, including the branch offices, have served as safe houses for al Qaida operatives, and bases for planning and launching operations. These charities are fully integrated components of al Qaida's organizational structure, and are actively involved at every level of al Qaida's operations, from recruitment and training of new members, to the planning and conduct of terrorist attacks.

80. In describing the integral role of charitable organizations in al Qaida's global operations, the United Nations Security Council Committee concerning al Qaida and the Taliban recently stated:

From its inception, al-Qaida has relied heavily on charities and donations from its sympathizers to finance its activities. Charities provide al-Qaida with a very useful international channel for soliciting, collecting, transferring and distributing the funds it

needs for indoctrination, recruitment, training, and logistical and operational support. These funds are often merged with and hidden among funds used for other legitimate humanitarian or social programs. Al-Qaida supporters and financiers have also established front charity networks whose main purpose is to raise and deliver funds to al-Qaida. The roots of these charity networks stem from the anti-Soviet Jihad in Afghanistan during the last 1980s. During that time, al-Qaida could draw on a number of state-assisted charities and other deep pocket donors that supported the anti-Soviet cause. Today, al-Qaida continues to rely heavily on those charities to facilitate and mask the collection and movement of its funds.

81. The longstanding involvement of purported charities in the sponsorship of Islamic terrorist organizations is further evidenced by a recently declassified 1996 Report of the Central Intelligence Agency. In that report, the author states as follows:

Of the 250 local and foreign-based non-governmental charitable organizations (NGOs) that operate worldwide, over 50 are international Islamic NGOs conducting humanitarian work. Available information indicates that approximately 1/3 of the Islamic NGOs support terrorist groups or employ individuals who are expected of having terrorist connections.

83. Absent the pervasive and critical infrastructure and support provided by the charity defendants, as further described herein, al Qaida would have forever remained a regional extremist organization, without the capacity to conduct large scale terrorist attacks on a global scale.

398. More than any other factor, al Qaida's phenomenal growth and development into a sophisticated global terrorist network were made possible by the massive financial, logistical and other support it received from the Kingdom of Saudi Arabia, members of the Saudi Royal Family, and prominent members of Saudi society.

399. As further described herein, the Kingdom of Saudi Arabia has established, funded, managed, maintained, directed and controlled many of the ostensible charities and banks that operate within al Qaida's support infrastructure. These agencies and instrumentalities of the

Kingdom of Saudi Arabia have served as the primary vehicle for raising, laundering and distributing funds on behalf of al Qaida, since the organization's inception. The vast majority of these funds have been provided by the Kingdom of Saudi Arabia and members of the Saudi Royal Family. In addition, purported charities, operating as arms of the Kingdom, have provided arms, false travel documentation, physical assets and logistical support to al Qaida. In many cases, the Kingdom of Saudi Arabia has appointed senior members of the al Qaida movement to high ranking positions within the charities it controlled, thereby providing a cover for their terrorist activity and facilitating the provision of material support and resources to al Qaida. Al Qaida has planned and coordinated terrorist attacks from branch offices of the charities, including branches which operated from within Saudi embassies throughout the world.

400. The Kingdom of Saudi Arabia and members of the Saudi Royal Family have known, for a period of many years, of the pervasive involvement of the Kingdom's charities and banks in funding and sustaining al Qaida's support infrastructure. In 1994, a French delegation led by French Interior Minister Charles Pasqua visited Saudi officials, including Saudi Minister of Interior Prince Naif, to discuss the French government's deep concerns regarding the pervasive involvement of the Saudi charities in the sponsorship and funding of terrorist organizations. In 1999 and again in 2000, U.S. officials visited Saudi Arabia to raise the same concerns.

401. Despite these pleas from the international community, the Kingdom of Saudi Arabia continued to funnel enormous amounts of money and other resources to the charities supporting al Qaida's operations.

402. As Osama bin Laden had publicly announced that his organization's principal objective was to wage war with the United States, and al Qaida had in fact conducted several attacks against U.S. interests over the years, it is clear that the Kingdom of Saudi Arabia and

members of the Royal Family knew and intended that the funding and support funneled to al Qaida through the charities and banks would be used to attack U.S. interests.

410. In addition to the support funneled to al Qaida through its state controlled banks and charities, ongoing investigations throughout the world have increasingly revealed that officials of the Saudi government have provided direct financial and logistical support to al Qaida cells in Europe and the United States, including al Qaida members who participated directly in the planning, coordination and execution of the September 11<sup>th</sup> Attack.

426. Several members of Saudi Arabia's Royal Family have played particularly integral roles in the sponsorship of al Qaida's operations, acting in both their official and personal capacities.

427. Prince Sultan bin Abdulaziz al Saud (Prince Sultan) is the Second Deputy Prime Minister and Minister of Defense and Aviation of the Kingdom of Saudi Arabia. In addition, Prince Sultan is the Chairman of the Supreme Council for Islamic affairs, established by King Fahd in 1994 to oversee and control charitable organizations with operations within the Kingdom of Saudi Arabia.

428. Prince Sultan has long provided material support and resources to al Qaida.

429. In his capacity as Chairman of the Supreme Council, Prince Sultan has known, for a period of many years, that Saudi-based charities were providing material support and resources to al Qaida. Rather than intervening to stem the flow of money and support from the charities to al Qaida, Prince Sultan has used his authority as Chairman of the Supreme Council to facilitate and ensure the continuing sponsorship of al Qaida by those charities.

430. In addition, Prince Sultan provided substantial funding, in both his official and private capacities, to several charities deeply involved in the sponsorship of al Qaida's global operations, including the IIRO, MWL, WAMY and al Haramain Foundation. In 1995, Dr. Ahmad Muhammad Ali, the then Secretary General of the MWL, publicly confirmed that much of the IIRO's funding was provided by Prince Sultan. In 1998, Prince Sultan donated 5 million Saudi Riyals to a joint charity drive of the IIRO and Sanabel al-Kheer. During a television fundraising campaign for the MWL, Prince Sultan donated 1 million Saudi Riyals. In 2002, he donated more than \$250,000 to a joint fundraising drive of the IIRO, WAMY and al Haramain.

431. At all times material hereto, Prince Sultan knew and intended that the contributions he made to IIRO, WAMY, MWL, Sanabel al-Kheer and al Haramain Foundation would be used to fund al Qaida's global operations and acts of international terrorism.

432. Through his official and personal acts, as described herein, Prince Sultan has provided critical financial and logistical support to al Qaida for a period of many years.